



February 22, 2002

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## ENGROSSED HOUSE BILL No. 1159

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DIGEST OF HB 1159 (Updated February 19, 2002 12:35 PM - DI 71)

**Citations Affected:** IC 4-13.

**Synopsis:** Commission on minority and women's businesses. Increases the membership on the governor's commission on minority and women's business enterprises from six to nine members with capabilities in business and industry appointed by the governor.

**Effective:** July 1, 2002.

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**Dickinson, Crawford, Budak,  
Whetstone**

(SENATE SPONSORS — WYSS, HOWARD, BREAUX)

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January 9, 2002, read first time and referred to Committee on Human Affairs.  
January 24, 2002, reported — Do Pass.  
January 28, 2002, read second time, ordered engrossed. Engrossed.  
January 29, 2002, read third time, passed. Yeas 90, nays 5.

SENATE ACTION

February 1, 2002, read first time and referred to Committee on Public Policy.  
February 21, 2002, reported favorably — Do Pass.

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February 22, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## ENGROSSED HOUSE BILL No. 1159

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 4-13-16.5-2, AS AMENDED BY P.L.195-2001,  
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2002]: Sec. 2. (a) There is established a governor's  
4 commission on minority and women's business enterprises. The  
5 commission shall consist of the following members:

6 (1) A governor's designee, who shall serve as chairman of the  
7 commission.

8 (2) The commissioner of the Indiana department of transportation.

9 (3) The director of the department of commerce.

10 (4) The commissioner of the department.

11 (5) ~~Six (6)~~ **Nine (9)** individuals with demonstrated capabilities in  
12 business and industry, especially minority and women's business  
13 enterprises, appointed by the governor from the following  
14 geographical areas of the state:

15 (A) ~~Two (2)~~ **Three (3)** from the northern one-third (1/3) of the  
16 state.

17 (B) ~~Two (2)~~ **Three (3)** from the central one-third (1/3) of the

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- 1 state.
- 2 (C) ~~Two (2)~~ **Three (3)** from the southern one-third (1/3) of the
- 3 state.
- 4 (6) Two (2) members of the house of representatives, no more
- 5 than one (1) from the same political party, appointed by the
- 6 speaker of the house of representatives to serve in a nonvoting
- 7 advisory capacity.
- 8 (7) Two (2) members of the senate, no more than one (1) from the
- 9 same political party, appointed by the president pro tempore of
- 10 the senate to serve in a nonvoting advisory capacity.
- 11 Not more than ~~four (4)~~ **six (6)** of the ~~seven (7)~~ **ten (10)** members
- 12 appointed or designated by the governor may be of the same political
- 13 party. Appointed members of the commission shall serve four (4) year
- 14 terms. A vacancy occurs if a legislative member leaves office for any
- 15 reason. Any vacancy on the commission shall be filled in the same
- 16 manner as the original appointment.
- 17 (b) Each member of the commission who is not a state employee is
- 18 entitled to the following:
- 19 (1) The minimum salary per diem provided by IC 4-10-11-2.1(b).
- 20 (2) Reimbursement for traveling expenses and other expenses
- 21 actually incurred in connection with the member's duties as
- 22 provided under IC 4-13-1-4 and in the state travel policies and
- 23 procedures established by the Indiana department of
- 24 administration and approved by the budget agency.
- 25 (c) Each legislative member of the commission is entitled to receive
- 26 the same per diem, mileage, and travel allowances established by the
- 27 legislative council and paid to members of the general assembly
- 28 serving on interim study committees. The allowances specified in this
- 29 subsection shall be paid by the legislative services agency from the
- 30 amounts appropriated for that purpose.
- 31 (d) A member of the commission who is a state employee but who
- 32 is not a member of the general assembly is not entitled to any of the
- 33 following:
- 34 (1) The minimum salary per diem provided by IC 4-10-11-2.1(b).
- 35 (2) Reimbursement for traveling expenses as provided under
- 36 IC 4-13-1-4.
- 37 (3) Other expenses actually incurred in connection with the
- 38 member's duties.
- 39 (e) The commission shall meet at least four (4) times each year and
- 40 at other times as the chairman deems necessary.
- 41 (f) The duties of the commission shall include but not be limited to
- 42 the following:

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- 1 (1) Identify minority and women's business enterprises in the
- 2 state.
- 3 (2) Assess the needs of minority and women's business
- 4 enterprises.
- 5 (3) Initiate aggressive programs to assist minority and women's
- 6 business enterprises in obtaining state contracts.
- 7 (4) Give special publicity to procurement, bidding, and qualifying
- 8 procedures.
- 9 (5) Include minority and women's business enterprises on
- 10 solicitation mailing lists.
- 11 (6) Define the duties, goals, and objectives of the deputy
- 12 commissioner of the department as created under this chapter to
- 13 assure compliance by all state agencies with state and federal
- 14 legislation and policy concerning the awarding of contracts to
- 15 minority and women's business enterprises.
- 16 (7) Establish annual goals:
- 17 (A) for the use of minority and women's business enterprises;
- 18 and
- 19 (B) derived from a statistical analysis of utilization study of
- 20 state contracts that are required to be updated every five (5)
- 21 years.
- 22 (8) Prepare a review of the commission and the various affected
- 23 departments of government to be submitted to the governor and
- 24 the legislative council on March 1 and October 1 of each year,
- 25 evaluating progress made in the areas defined in this subsection.
- 26 (g) The department shall develop size standards based on 13 CFR
- 27 121.
- 28 (h) The department shall adopt rules of ethics under IC 4-22-2 for
- 29 commission members other than commission members appointed
- 30 under subsection (a)(6) or (a)(7).
- 31 (i) The department shall furnish administrative support and staff as
- 32 is necessary for the effective operation of the commission.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred House Bill 1159, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

SUMMERS, Chair

Committee Vote: yeas 14, nays 0.

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SENATE MOTION

Mr. President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1159.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred House Bill No. 1159, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1159 as printed January 25, 2002.)

WYSS, Chairperson

Committee Vote: Yeas 10, Nays 0.

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